

REMARKS

Claims 1-54 are pending. Claims 38-54 are withdrawn from consideration, remaining claims 1-37 stand rejected, and Applicants add new claims 55-62.

At the outset, Applicants thank Examiner Patel and Examiner Bennett for extending the courtesy of a telephone interview to Applicants' undersigned representative on February 24, 2004. Agreement was reached that the amendments presented herein distinguish over the art of record, and therefore allowance of the pending claims is respectfully requested.

Amendments to the Claims

Applicants amend independent claims 1, 17, and 26 to clarify the claim language, and in particular to recite a fibrous web having a substantially continuous thickness uniform polymer coating that is a vapor deposition formed condensed liquid monomer polymerized onto fibers that form the fibrous web. Support for these amendments can be found throughout the specification, for example, at page 10, line 19 through page 12, line 29. Applicants also amend several independent claims to correspond to amended claims 1, 17, and 26. No new matter is added.

Applicants further amend claims 10 and 24 to recite a diameter in the range of between about 0.5 to 20 μm , rather than 1 to 20 μm . Support for this amendment can be found throughout the specification, for example, at page 7, lines 7-10.

Claim 16 is amended into independent format to include some of the limitations of claim 1, as amended above. Claim 16, as well as claim 18, is also amended to recite a thickness in the range of about 50 Angstroms to 1 micron. Support for this amendment can be found throughout the specification, for example, at page 13, lines 3-4.

Applicants also make some minor amendments to independent claim 38, and to claims 40, 44, 46, 47, 48, 51, and 54 which depend therefrom. No new matter is added.

Applicants further add new claims 55-62 directed toward an electret filter media.

These claims include various limitations present in claims 1-54, and thus no new matter is added.

Applicants respectfully request entry of the above-referenced amendments.

Election/Restriction

Applicants continue to request reconsideration of the restriction requirement of the claims to the following groups: (1) claims 1-37 and (2) claims 38-54. In the first Office Action, the Examiner argued that “the electret filter media and respirator recited in claims 1-37 can be made by a process unrelated to vapor deposition, such as spray coating or dipping. Accordingly, the inventions are distinct.” (May 23, 2003 Office Action, page 2.) Pending independent claims 1, 16, 17, 26, 55, and 59 each positively recite a polymer coating formed by vapor deposition, and thus the claimed product cannot be made by a process unrelated to vapor deposition. Accordingly, reconsideration and withdrawal of the restriction requirement is respectfully requested.

Rejection Pursuant to 35 U.S.C. §102(b)/103(a)

Claims 1-15 and 17-37 are rejected pursuant to 35 U.S.C. §102(b) as being anticipated by WO 00/78430 (Cox), and claims 1-15 and 26-37 are also rejected pursuant to 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,645,627 of Lifshutz et al. (Lifshutz). The Examiner also rejects claims 2-5 and 17-25 pursuant to 35 U.S.C. § 103(b) as being obvious over Lifshutz in view of a publication entitled “Barrier Properties of Plasma and Chemically Fluorinated Polypropylene and Polyethyleneterephthalate” by Friedrich et al. (Friedrich).


As indicated above, the Examiner has agreed that the pending claims, as amended herein, distinguish over the art of record and therefore the pending rejection is render moot. The prior art does not teach or even suggest the present invention.

Conclusion

In conclusion, 1-62 are in condition for allowance and allowance thereof is respectfully requested. Applicants encourage the Examiner to telephone the undersigned upon receipt of this response to discuss any issues that may remain.

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Respectfully submitted,



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